

**Consideration of request for recommendation for final approval the conveyance of Pigeon Roost Memorial Site to Scott County for use as a county park.**

The Pigeon Roost Memorial Site is located five miles south of Scottsburg, in Scott County, Indiana. A monument and cemetery commemorate an early conflict between settlers and Native Americans in the Indiana Territory during the War of 1812.

The memorial site began in 1901 when James W. Fortune introduced a bill, passed in 1903 by the 63<sup>rd</sup> General Assembly, which included an appropriation of \$2,000.00 for the erection of the monument. The monument was dedicated in 1904 by Governor Durbin. In 1929, three tracts of land were purchased from various owners for “park purposes” as noted in the deed records. In 2001, an additional parcel was purchased between U. S. 31 and the railroad.

The site includes about 4 acres of green space on which the monument and cemetery are located as well as a small picnic shelter. The property has been managed by several divisions of the Department, currently falling under Museums and Historic Sites. The property is open to the public from dawn to dusk; however, it is unmanned with the nearest division staff at least 30 miles away. The site is an attraction for illicit activities and needs much more supervision than the division is able to provide. Division staff has worked cooperatively with other divisions (primarily Forestry) and local corrections crews to keep up with mowing and emergency needs (primarily downed trees).

Under I.C. 14-20-1-12, the division may convey property acquired to any person under a contractual arrangement that limits the future use of the property and ensures its preservation. In addition, I.C. 4-20.5-7 allows the State of Indiana to surplus property through the specific process defined therein.

In 2001 and 2003, attempts were made by DNR to convey the property to Scott County or an interested non-profit organization due to the problems of long distance management. Those attempts failed without local support and the issue was dropped.

In March, 2007, the Scott County Visitors Commission Executive Director contacted division staff indicating that the Scott County Commissioners now have local support and want the property. Management would come through the Visitors Commission as a county park. Precedent for this type of arrangement with a very similar property has been set by Tippecanoe County with the Battle of Tippecanoe Park (I.C. 14-20-2), managed by the Tippecanoe County Historical Society.

The surplus property process will be followed. In addition, contractual arrangements will be made through deed covenants and a preservation easement. The covenants on the property will be for its use for “park purposes” as the original deeds state as well as a preservation easement on the monument that provides guidelines for its preservation and maintenance. The cemetery is covered under various Indiana Cemetery Laws (a complete list of these laws is available at [http://www.in.gov/dnr/historic/cem\\_mandates.html](http://www.in.gov/dnr/historic/cem_mandates.html) ).

#### **AGENDA ITEM #4**

It is anticipated by both the Division and the Scott County Visitors Commission that the site will remain as a park and open as it is. Site appearance and security measures will be improved with the removal of underbrush and dead trees between U. S. 31 and the property. In addition local law enforcement efforts will be aided by these improvements.

Attached to this item, please find copies of the deeds to the property, a brief history of the property and those items considered for the conveyance of the property.

The Division Board of Trustees Executive Committee has recommended this conveyance to the full Division Board. It will consider this item at its meeting tomorrow, June 14, 2007, and approval is anticipated.

The Division of Museums and Historic Sites recommends approval of this conveyance to the DNR Commission, pending the approval of the division board.

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Division of Museums and Historic Sites

**Pigeon Roost Memorial Site  
Important Dates**

- Sept. 3, 1812 – Conflict between Native Americans and pioneers of the Indiana Territory occurred, with 24 pioneers and an unknown number of Native Americans lost.
- 1887 Charles W. Cruson presented first bill in the House of Representatives to mark spot of the conflict.
- 1896 Joseph H. Shea introduced bill in the General Assembly to erect monument.
- 1901 James W. Fortune introduced bill providing for \$2,000.00 for monument.
- June 1903 Scott County Council appropriates \$100.00 for the purchase of the ground where the monument will be erected. There is not evidence that this property was transferred to the state.
- Feb. 11, 1903 Bill became law, appropriation made by 63<sup>rd</sup> General Assembly of \$2,000.00 for erection of marker.
- Oct. 1, 1904 Dedication of monument. Presented by Gov. Durbin for the State of Indiana by Capt. Fortune, President of the Monument Commission.
- 1929 Lands and Water in charge of maintenance and landscaping.
- June 20, 1929 Purchased .80 acres from Pigeon Roost Cemetery for \$75.00
- June 29, 1929 Purchased 3.2 acres from Roth for \$500.00
- June 29, 1929 Purchased .59 acres from Rose for \$150.00
- June 29, 1929 Purchase of .23 from Houghland for \$25.00 which is later overturned.
- Feb. 2, 2001 Purchased 3.56 from Reardon for \$25,000.00 to secure sight line from U. S. 31.
- 2001 and 2003 Efforts to establish a Friends support group or to convey property to interested non-profit were thwarted due to lack of local support.

Evaluation of Pigeon Roost State Historic Site

Per 312 IAC 24-3-6 "Factors for Evaluating historic property"

Authority: IC 14-20-1-15; IC 14-20-1-23

Affected: IC 14-20-1

June 6, 2007

**1.) Does the property illustrate, interpret, or is it identified with an important aspect of Indiana history or prehistory?**

The property is identified with a conflict between Native Americans and pioneers during what became the French and Indian War a.k.a. The War of 1812. Interpretation is strictly through two historical markers at the property. No remnants of the settlements exist at the site. The state erected an obelisk monument in 1904, which still exists along with an adjacent cemetery containing the unmarked graves of the pioneers who died there. Also at the site is a picnic shelter.

**2.) Does the property duplicate another state historic site administered by the department?**

No. However, the department does hold Fort Knox II in Vincennes, another War of 1812 site. However, the historic significance of that site is different. It was the site of the mustering of the troops by Gen. William Henry Harrison for the Battle of Tippecanoe. The Tippecanoe Battleground has a similar feature. That property is owned and managed by Tippecanoe County (see IC14-20-2).

**3.) Does the property retain its original appearance, setting and materials?**

The pioneer farming settlements were destroyed during the conflict, therefore the original appearance of the area, its setting and materials are not original. The obelisk remains as it was when erected in 1904. The park area is much different than it appeared at that time with large trees and vegetation all around.

**4.) Does the property have sufficient historical significance to justify the costs of continued rehabilitation and maintenance?**

Not that has been discovered at this juncture. The site would be best served if it were transferred to the county because of the distance from the nearest historic site (30 miles). It is currently unmanned and is an attraction for illicit activities. Several attempts to have a controlled burn were thwarted by weather and the county corrections currently mows the grass. It would be much better served and preserved with local supervision.

**5.) Is the property readily accessible to the public?**

Yes. It is located immediately adjacent to U. S. 31 and to a railroad that is to be converted by a rails-to-trails project. It is open currently from dawn to dusk, but has no security measures except for a dusk to dawn light.

**6.) Does the property have ready access to utilities?**

Yes. There is electric already in the area and its proximity to U.S. 31 affords further utility opportunities.

**7.) Does the property currently generate revenue or could it generate future revenues?**

The property does not currently generate revenue for the state. Future revenue opportunities might exist through the county if the site could be manned.

**8.) Are there other factors which promote the purposes of IC 14-20-1?**

No. A preservation easement will transfer with the property on the historic obelisk monument. There will also be a deed restriction limiting the use of the property to a park setting as do the original deeds to the property. The cemetery is covered under the Indiana Cemetery law (see code site) and the picnic shelter is not considered historic.

